

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 15-40916
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

December 8, 2015

Lyle W. Cayce
Clerk

ROBERTA COSGROVE; CONNIE COSGROVE,

Plaintiffs - Appellants

v.

CITY OF PLANO, TEXAS,

Defendant - Appellee

Appeal from the United States District Court
for Eastern District of Texas
USDC No. 4:13-CV-660

Before REAVLEY, SMITH, and HAYNES, Circuit Judges.

PER CURIAM:*

The judgment of the district court is affirmed for the following reasons.

Plaintiffs have not identified any due process right violated by the City. No objection is made to the No. 2012-8-16 ordinance itself. It limits to eight children the number cared for by the Plaintiffs. They were not entitled to care for 12 children because they had no permit. The City Council denied further

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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action because “more than eight is simply too many.” The judgment of the district judge, based upon the explanations of the magistrate judge, is correct. Any pending motions are denied.

AFFIRMED.